

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STEPHEN OUWINGA, LEANN)
OUWINGA, DAVID OUWINGA,) Case No. 1:09-cv-60
CHRISTINE OUWINGA AND STONEY)
CREEK FISHERIES AND)
EQUIPMENT INC. on behalf of)
themselves and all others similarly)
situated,)
Plaintiffs,)
)

VS.

BENISTAR 419 PLAN SERVICES,
INC., BENISTAR LTD., JOHN
HANCOCK VARIABLE INSURANCE
COMPANY, JOHN HANCOCK LIFE
INSURANCE COMPANY, EDWARDS
ANGELL PALMER & DODGE LLP,
JOHN H. REID, III, KRIS LESLEY,
ROBERT FOGG, AND PASCIAK
JOHN HANCOCK AGENCY LLC f/k/a
WEST MICHIGAN PASCIAK
GENERAL AGENCY,

Defendants.

NOTICE OF DISMISSAL WITHOUT PREJUDICE OF BENISTAR
419 PLAN SERVICES, INC AND BENISTAR LTD.

COME NOW all Plaintiffs in the above numbered and entitled action and file this their Notice of Dismissal of Defendants BENISTAR 419 PLAN SERVICES, INC. and BENISTAR LTD. only, pursuant to FRCP Rule 41(a)(1)(A)(i). No Defendant has filed either an answer or a motion for summary judgment. FRCP Rules 23(e), 23.1(c), 23.2, and 66 do not apply to this Action. No federal statute precludes this Notice.

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Pursuant to FRCP Rule 41(a)(1)(B), this dismissal is without prejudice. Plaintiffs have not dismissed any previous federal or state-court actions based on or including any of the claims dismissed herein.

Respectfully submitted,

DILLEYHANEY, P.C.


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